

ORIGINAL

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EX PARTE OR LATE FILED

June 1, 2000

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JUN - 1 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., Room TW-A325  
Washington, DC 20554

Re: **Ex Parte Presentation**  
Numbering Resource Optimization, CC Docket No. 99-200

Dear Ms. Salas:

The attached Ex Parte letter was sent to Mr. L Charles Keller on June 1, 2000. Please enter it into the record of the above referenced docket.

Sincerely,

A handwritten signature in cursive script that reads "Fred Goodwin".

Attachment

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List A B C D E

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June 1, 2000

**EX PARTE PRESENTATION**

Mr. L. Charles Keller  
Chief of Network Services Division  
Common Carrier Bureau  
445 12th Street, S.W., Room 6A320  
Washington, D.C. 20554

Re: Numbering Resource Optimization, CC Docket No. 99-200

Dear Mr. Keller:

Pursuant to Section 1.1206 of the Federal Communications Commission's rules (47 C.F.R. § 1.1206), this letter provides notice that on May 31, 2000, Fred Goodwin, Jim Smith, and John di Bene of SBC Communications Inc. met with Charles Keller, Diane Harmon, Cheryl Callahan, Les Selzer, Berry Payne, and Aaron Goldberger of the Network Services Division and discussed issues associated with number pooling cost recovery and number usage classifications in the Commission's March 31, 2000 Report and Order and Further Notice of Proposed Rulemaking in the above-referenced docket (*NRO Order*).<sup>1</sup>

Pursuant to that discussion, this letter requests guidance as to the proper interpretation of portions of the *NRO Order* regarding number pooling cost recovery issues and classification of "reserved" numbers. These questions are listed below. The number pooling questions are based on the assumption that Number Porting Administration Center (NPAC) version 3.0 software and efficient data representation (EDR) system improvements are legitimate in order to implement the national number pooling framework and therefore should be recoverable under Section 251(e). SBC requests that it be advised if this is not a correct assumption.

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<sup>1</sup> See *Numbering Resource Utilization, Report and Order and Further Notice of Proposed Rulemaking*, CC Docket 99-200 (rel. March 31, 2000) (*NRO Order*).

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**I. Allocation Of Cost Recovery Between Federal And State Jurisdictions.**

A. State Trial Using NPAC 1.4 Only. Regarding the allocation of cost recovery between federal and state jurisdictions, if a state conducts a number pooling trial solely using NPAC version 1.4 technology, and does not require carriers to implement NPAC 3.0 or EDR as part of the state trial, would all of the costs of implementing NPAC 3.0 and EDR in that state be recovered through the federal jurisdiction?

B. “Transition” Costs – NPAC 1.4 Only. If a state commission implements a number pooling trial in a NPA solely using NPAC version 1.4 technology, and there are costs to transition from NPAC 1.4 technology to NPAC 3.0 technology, including EDR, in order to implement the national pooling framework, would these transition costs be assigned to the federal jurisdiction?

C. “Transition” Costs Equal To Cost Of Implementing National Standard. If the costs to “transition” to the national standard are identical to the costs that carriers would have incurred in order to implement the national pooling standard in the absence of a state number pooling trial, would those costs be attributed to the federal jurisdiction?

D. State Trial Ordered Upgrade To NPAC 3.0 (Prior To Rollout of National Standard). If a state commission implements a number pooling trial using NPAC 1.4 technology, and orders carriers to convert to later releases of NPAC software, including fully implementing EDR, as soon as possible, and carriers, pursuant to that state commission order, implement NPAC 3.0 and EDR prior to the date of the rollout of the national number pooling solution in the area of the number pooling trial, would all of the costs associated with implementing NPAC 3.0 and EDR be assigned to the federal jurisdiction? If not, how would the costs be allocated between the federal and state jurisdictions?

E. Ensuring Full Cost Recovery In Dual Jurisdictional Scheme. Will all category 1 and category 2 costs (as set forth in the *NRO Order*) for implementing NPAC 3.0 and EDR that are allocated to state jurisdictions but not recovered in the state jurisdiction be recoverable as federal jurisdiction costs? If not, how will the Commission ensure full compliance with Section 251(e)(2)’s cost recovery provisions?

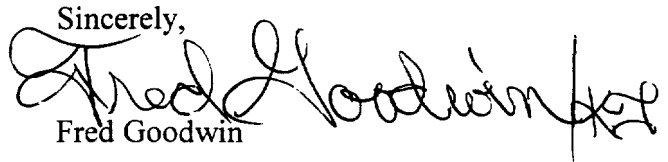
F. “Transition” of State Cost Recovery Schemes. Paragraph 171 of the *NRO Order* states that “individual state cost recovery schemes will transition to the national cost recovery plan when it becomes effective.” Does this mean if states have not adopted cost recovery plans by the time that the national cost recovery plan becomes effective, all of the costs that otherwise would have been attributed to the state cost recovery plan will be recovered in the federal cost recovery plan? If not, how will the state schemes be “transitioned?”

## II. Reserved Numbers.

SBC has contracts and tariffs in place under which carriers have reserved telephone numbers for future use (such as business growth) in excess of the 45-day limit for reservations established in the *NRO Order*. Would these numbers need to be classified as "available" 45 days after the effective date of the *NRO Order*? If so, then carriers could be required to assign these numbers to other customers under the Commission's sequential number assignment rule or donate these numbers to the number pooling administration in accordance with the thousands blocks donation requirements.<sup>2</sup> If this is the requirement, then SBC would need to notify all of its customers that all of their reserved numbers would have to be activated within 45 days of the effective date of the *NRO Order*, or they might be assigned to other customers. This could cause substantial harm to our customers in the very near future. Moreover, such reservations of numbers in the future would be, for all practical purposes, severely curtailed or eliminated. Is it the FCC's intent to eliminate these number reservations for legitimate customer purposes? If not, how can carriers continue to reserve numbers for customers and comply with the requirements of the *NRO Order*?

In accordance with Commission's rules governing ex parte communications, an original and two copies of this correspondence are submitted herewith. Please contact me at (202) 326-8913 or Jim Smith at (202) 326-8883 if we can provide clarification of these questions, or any other information.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Goodwin", with a stylized flourish at the end.

Fred Goodwin

cc: Yog Varma, Charles Keller, Diane Harmon, Cheryl Callahan, Les Selzer, Barry Payne,  
Aaron Goldberger

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<sup>2</sup> Moreover, the *NRO Order* would not allow reserved numbers to be included in the numerator of the utilization calculation, thus yielding a lower utilization rate. See *NRO Order*, at 109.